

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE

Bienvenido I. Lugo-Marchant

Plaintiff,

v.

Peter Tsickritzis, Kevin Kingston,
and United Liquors Limited et al.,
Defendants

2006 JUL 24 P 3:21
Civil Action No. 05 11317 NMG

U.S. DISTRICT COURT
DISTRICT OF MASS.

**FIRST SET OF INTERROGATORIES PROPOUNDED BY THE PLAINTIFF TO
DEFENDANT-Gary Keimach**

Plaintiff, Bienvenido I. Lugo-Marchant, hereby propounds the following interrogatories to Defendant, Gary Keimach, to be answered fully, separately, in writing and under oath.

INSTRUCTIONS

In answering these interrogatories, Defendant- Gary Keimach, should follow the same instructions given to the Plaintiff when demanding from him answers to the **First Set of Interrogatories** sent by their legal representatives and counsel.

DEFINITIONS

As used herein, the terms used in these interrogatories shall have the same meaning as in the terms given to the Plaintiff when demanding from him to answer a **First Set of Interrogatories** by the defendants, their legal representatives and counsel. New terms that are not understood can be found at any legal or regular dictionary.

INTERROGATORIES

1. With respect to the person answering these Interrogatories, please state:
 - a. Name
 - b. Address (es)
 - c. Residence telephone numbers
 - d. Job title
 - e. Name of superiors
 - f. Date when started employment with the defendant
 - g. Salary
 - h. Marital status [name of spouse].
2. Name all persons [excepting the Plaintiff, counsel and the Court], not heretofore mentioned, having personal knowledge of facts material to this case and provide their addresses.
3. Set forth the number of times you have met with the Plaintiff since 1999 to the present.
4. Enumerate specifically all of the things you contend specifically that the Plaintiff:

- a. Did which should not have done; and,
 - b. Did not do which should have done.
5. State whether you have obtained statements in any form from any person, regarding the material facts forming the subject of this lawsuit, and, if so, set forth in detail for each such person:
 - a. The date on and the place where the statement was made
 - b. The name and address of each person who gave such statement
 - c. The name and address of each person who took such statement
 - d. The name and address of each person who was present when such statement was made.
6. Identify any and all person(s) whom:
 - a. You intend to call as witness and has information about this action [excepting the Plaintiff, Defendant's counsel, the Court]
 - b. You do not intend to call as witness but has information about this action [excepting the Plaintiff, Defendant's counsel, the Court].
7. Identify the states of the USA in which this corporation:
 - a. Is organized as a corporation
 - b. Is currently doing business
 - c. Maintains its corporate headquarters.
8. Between 1990 to the present, state the name, title, scope of incumbency and period of such of each of the Defendant's official, agents, employees who have been or are in charge of the Defendants' equal employment opportunities efforts if any.
9. Describe the criteria and requirements which each of the Defendant's facilities utilizes in determining whether an employee shall be promoted from one job to another within the Defendants and if the criteria vary from promotions to and from different jobs. Please attach, if you will do so, without a formal motion for production, a copy of all evaluations of the defendant [unless it's already done by other representatives of the Defendants and specify where].
10. Describe in detail how and by whom an employee's qualifications are determined, listing clearly all records maintained by each of the Defendants' facilities that contains this information [unless it's already done by other representatives of the Defendants and specify where].
11. State what happens to an employee when he/she is promoted or demoted to another job or transferred and its effect on
 - a. Rate of pay
 - b. Community gossip.
12. State whether the Defendant has ever maintained its facilities segregated by unlawful reasons and, if so, state
 - a. A description of the facilities
 - b. The location
 - c. The date when the segregation ended [if it ended].

13. State whether the segregation ended at the urging of or requirement of any person, government entity or any private organization.
14. For each of the facilities with the Defendant, describe with particularity the factors or criteria used to select employees or applicant for employment for entry level jobs with the Defendant which have been used by the Defendant at any time since 1990, including, but not limited to the following:
 - a. Qualifications
 - b. Experience
 - c. Educational qualifications.
15. Describe the Defendant's method of notifying employees of job vacancies to be filled from within facilities of the Defendants since 1999 to the present setting forth
 - a. The location of posted notification,
 - b. Length of time being posted
 - c. Requirements.
16. If you answered in any valid negative manner the last interrogatory, please state:
 - a. A description of how the Defendant selects employees to fill job vacancies
 - b. Why was the plaintiff not informed of such notification.
17. Please state, whether the defendant requires or uses, or has required or used since 1999 to the present any written or oral employment test as part of its selection of new employees or employees for hiring, promoting, demoting, harassing and if so state:
 - a. The job lines of progression of the tests for which written or oral tests is required
 - b. The names and sources of the tests used
 - c. The dates when this policy was instituted
 - d. The names of the ones who are exempt of this requirement
 - e. The passing score [not in percentile]
 - f. The names and job title of the person(s) who administers this test or tests
 - g. The names and job title of the person(s) who scores this test or tests
 - h. If the scorer or administer of this test gets in contact with the applicant(s)
18. Please state, whether the defendant requires or uses, or has required or used since 1999 to the present any written or oral employment test as part of its selection of new employees or employees for hiring, promoting, demoting or harassing.
19. Regarding the last interrogatory what problems, if any, have resulted from such an employee.
20. Identify the poor evaluation given to the Plaintiff after asking for an apology.
21. Please state your ethnicity, and religion

22. State whether the Defendant maintains any system or on-the-job training to enable employees or applicants for any job with the Defendant to qualify for more desirable jobs, and, if so, please further state:
- Jobs in which the training is provided,
 - Employees to which this training is available
 - The manner in which said employees or applicants are informed of their eligibility.

CERTIFICATE OF SERVICE

I hereby certify that on July 21 2006, this document was served upon the defendant's counsel JACKSON LEWIS, by first class mail, postage paid.

Respectfully submitted, Bienvenido I. Lugo-Marchant
Pro se, in forma pauperis

